

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**THURSDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FIFTEEN**

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.42460 of 2015

Between:

Md. Shamiyullah,
S/o. Late Md.Bismillah,
Aged about 50 years,
R/o.H.No.10-6-86, Kishannagar,
Karimnagar.

.. Petitioner

AND

Telangana Grameena Bank,
Head Office & Corporate Office,
Nallakunta, Hyderabad,
Rep. by Appellate Authority-Board & another

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.42460 of 2015

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ORDER:

Disciplinary proceedings initiated against the petitioner on 02.01.2015 resulted in imposing the punishment of reduction of basic pay by two stages for a period of two years as per the pay structure of the respondent bank with further directions not to earn increments and not eligible for promotion during the period of such reduction.

2. Against the said order, according to the Service Regulations governing the conditions of service of the employees of Telangana Grameena Bank, an appeal shall lie to the appellate authority. Without exhausting the remedy of appeal, the petitioner instituted this writ petition. The only reason assigned by the petitioner in para 6 of the affidavit for not preferring the appeal is that he was mentally disturbed since the year 2012 to till the date of filing of the writ petition and, therefore, he could not prefer appeal.

3. The reason assigned is not a ground for not filing appeal. It is always open to the petitioner to seek condonation of delay by assigning due reasons for not filing appeal in time. When right of appeal is provided, without exhausting the said remedy, this writ petition could not have been instituted. It is

always open to seek condonation of delay in filing appeal by assigning due reasons.

4. Since the petitioner has right of appeal provided under the Service Regulations governing the petitioner, the writ petition at this stage cannot be entertained.

5. Leaving it open to the petitioner to avail the remedy of appeal as well as seeking for condonation of delay in filing the appeal, the Writ Petition is dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 31st December, 2015

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WRIT PETITION No.42460 of 2015

Date: 31st December, 2015

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